
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

v.

ERIC KAMAHELE,
Defendant.

**ORDER GRANTING
COMPASSIONATE RELEASE**

Case No. 2:08-cr-00758-TC

District Judge Tena Campbell

After a jury trial in 2011, Defendant Eric Kamahele was convicted of racketeering conspiracy, assault with a dangerous weapon in aid of racketeering, two counts of violating 18 U.S.C. § 924(c) (using or carrying a firearm during a crime of violence), and Hobbs Act Robbery. (ECF No. 1105.) The court sentenced him to 7 years for the first § 924(c) count, 25 years for the second § 924(c) count, and 0 years for the other counts. (ECF Nos. 1254, 1265.)

Mr. Kamahele appealed his conviction, which was affirmed. United States v. Kamahele, 748 F.3d 984 (10th Cir. 2014). He later filed a motion under 28 U.S.C. § 2255, which the court denied, and which the Tenth Circuit affirmed. Kamahele v. United States, No. 2:15-cv-00506-TC, 2017 WL 3437671 (D. Utah Aug. 10, 2017), aff'd in part, appeal dismissed in part sub nom. United States v. Toki, 822 F. App'x 848 (10th Cir. 2020). Recently, however, the U.S. Supreme Court intervened on Mr. Kamahele's behalf. The Court reversed the Tenth Circuit and opened the door for Mr. Kamahele's § 2255 motion to proceed. Kamahele v. United States, No. 20-7749, 2021 WL 4507568 (U.S. Oct. 4, 2021) (mem.).

Mr. Kamahele has now moved the court for compassionate release. (ECF No. 1863.) The United States does not oppose the motion. (ECF No. 1867.) After reviewing all the papers,

the court is satisfied that Mr. Kamahele has met the requirements for compassionate release set forth in United States v. McGee, 992 F.3d 1035, 1042–43 (10th Cir. 2021) (citing United States v. Jones, 980 F.3d 1098 (6th Cir. 2020)).

Accordingly, IT IS ORDERED that Mr. Kamahele’s unopposed motion for compassionate release (ECF No. 1863) is GRANTED. Mr. Kamahele’s sentence is reduced to time served, effective immediately. The court maintains Mr. Kamahele’s original 36-month term of supervised release and reimposes all previously imposed standard and special conditions of supervision.

DATED this 5th day of November, 2021.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
United States District Judge